

Senate File 296 - Introduced

SENATE FILE 296
BY COMMITTEE ON HUMAN
RESOURCES

(SUCCESSOR TO SSB 1095)

A BILL FOR

1 An Act relating to the practice of pharmacy, including
2 the prescription and administration of vaccines and
3 collaborative pharmacy practice.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 155A.46, Code 2021, is amended to read
2 as follows:

3 **155A.46 Statewide Administration of drugs — statewide**
4 **protocols.**

5 1. ~~a.~~ A pharmacist may, pursuant to statewide protocols
6 developed by the board in consultation with the department of
7 public health and consistent with ~~subsection 2~~ 3, order and
8 administer the following to patients ages eighteen years and
9 older:

10 ~~{1}~~ a. Naloxone.

11 ~~{2}~~ b. ~~Nicotine replacement tobacco~~ Tobacco cessation
12 products.

13 c. Point-of-care testing and treatment for influenza,
14 streptococcus A, and COVID-19 as defined in section 686D.2 at
15 the point of interaction between a pharmacist and a patient.

16 d. Point-of-care testing at the point of interaction between
17 a pharmacist and a patient in response to a public health
18 emergency.

19 2. a. A pharmacist may prescribe and administer the
20 following to patients ages three years and older:

21 ~~{3}~~ (1) An immunization or vaccination recommended by
22 the United States centers for disease control and prevention
23 advisory committee on immunization practices in its approved
24 vaccination schedule ~~for adults.~~

25 ~~{4}~~ (2) An immunization or vaccination recommended by the
26 United States centers for disease control and prevention for
27 international travel.

28 ~~{5}~~ A Tdap (tetanus, diphtheria, acellular pertussis)
29 vaccination in a booster application.

30 (3) Vaccines currently licensed for use in the United
31 States on the list issued by the United States food and drug
32 administration, including those related to COVID-19.

33 ~~{6}~~ (4) Other emergency immunizations or vaccinations in
34 response to a public health emergency.

35 b. A pharmacist may, ~~pursuant to statewide protocols~~

1 ~~developed by the board in consultation with the department of~~
 2 ~~public health and consistent with subsection 2, order prescribe~~
 3 and administer the following to patients ages six months and
 4 older:

5 (1) ~~A vaccine or~~ An immunization or vaccination for
 6 influenza.

7 (2) Other emergency immunizations or ~~vaccines~~ vaccinations
 8 in response to a public health emergency.

9 ~~c. A pharmacist may, pursuant to statewide protocols~~
 10 ~~developed by the board in consultation with the department~~
 11 ~~of public health and consistent with subsection 2, order and~~
 12 ~~administer the final two doses in a course of vaccinations for~~
 13 ~~HPV to patients ages eleven years and older.~~

14 ~~d. c.~~ Prior to the ordering prescribing and administration
 15 of ~~a vaccination or~~ an immunization or vaccination authorized
 16 by this subsection, ~~pursuant to statewide protocols~~, a licensed
 17 pharmacist shall consult and review the statewide immunization
 18 registry or health information network. The board shall
 19 adopt rules requiring the reporting of the administration of
 20 ~~vaccines and~~ immunizations and vaccinations authorized by this
 21 subsection to a patient's primary health care provider, primary
 22 physician, and a statewide immunization registry or health
 23 information network.

24 ~~2. 3.~~ A pharmacist prescribing, ordering, or administering
 25 a prescription drug, product, test, or treatment pursuant to
 26 subsection 1 or 2 shall do all of the following:

27 a. Maintain a record of all prescription drugs, products,
 28 tests, and treatments administered pursuant to this section.

29 b. Notify the patient's primary health care provider
 30 of any prescription drugs, products, tests, or treatments
 31 administered to the patient, or enter such information in a
 32 patient record system also used by the primary health care
 33 provider, as permitted by the primary health care provider. If
 34 the patient does not have a primary health care provider, the
 35 pharmacist shall provide the patient with a written record of

1 the prescription drugs, products, tests, or treatment provided
2 to the patient and shall advise the patient to consult a
3 physician.

4 c. Complete continuing pharmacy education related to
5 statewide protocols and immunizations and vaccinations
6 recognized and approved by the board.

7 Sec. 2. NEW SECTION. 155A.47 Collaborative pharmacy
8 practice — agreements — payment.

9 1. For the purposes of this section:

10 a. "*Collaborative pharmacy practice*" means a practice of
11 pharmacy whereby a pharmacist provides patient care and drug
12 therapy management services not otherwise permitted to be
13 performed by a pharmacist to patients under a collaborative
14 pharmacy practice agreement with another pharmacist or
15 practitioner which defines the nature, scope, conditions, and
16 limitations of the patient care and drug therapy management
17 services to be provided by a pharmacist in order to ensure that
18 a patient achieves the desired outcomes.

19 b. "*Health benefit plan*" means the same as defined in
20 section 514J.102.

21 c. "*Health carrier*" means the same as defined in section
22 514J.102.

23 2. Notwithstanding any provision of law to the contrary, a
24 pharmacist may engage in a collaborative pharmacy practice, in
25 accordance with rules adopted by the board pursuant to chapter
26 17A and under a collaborative pharmacy practice agreement, to
27 provide patient care and drug therapy management services to
28 a patient.

29 3. Notwithstanding any provision of a health benefit plan
30 to the contrary, whenever a health benefit plan provides for
31 payment or reimbursement for a service that is within the
32 lawful scope of practice of a practitioner or pharmacist
33 and the service is provided by a pharmacist pursuant to a
34 collaborative pharmacy practice agreement under this section,
35 the health carrier may provide payment or reimbursement for the

1 service.

2

EXPLANATION

3 The inclusion of this explanation does not constitute agreement with
4 the explanation's substance by the members of the general assembly.

5 This bill relates to the ordering, prescribing, and
6 administration of certain drugs to patients by pharmacists.
7 With respect to patients 18 years and older, and pursuant
8 to statewide protocols, the bill removes the authority of
9 pharmacists to order and administer nicotine replacement
10 products and Tdap (tetanus, diphtheria, acellular pertussis)
11 vaccinations in a booster application and allows pharmacists
12 to order and administer testing and treatment for influenza,
13 streptococcus A, and COVID-19 as defined in the bill at the
14 point-of-care testing between a pharmacist and a patient. The
15 bill also removes the authority of pharmacists to order and
16 administer the final two doses in a course of vaccinations for
17 HPV (human papilloma virus) to patients 11 years of age and
18 older.

19 The bill allows a pharmacist to prescribe and administer to
20 patients three years of age and older all of the following: 1)
21 an immunization or vaccination recommended by the United States
22 centers for disease control and prevention advisory committee
23 on immunization practices in its approved vaccination schedule,
24 including those related to COVID-19, 2) an immunization or
25 vaccination recommended by the United States centers for
26 disease control and prevention for international travel, 3)
27 vaccines currently licensed for use in the United States on the
28 list issued by the United States food and drug administration,
29 and 4) other emergency immunizations or vaccinations in
30 response to a public health emergency. Current law permits
31 pharmacists to order and administer such immunizations and
32 vaccinations to patients age 18 years and older pursuant to
33 statewide protocols.

34 The bill allows a pharmacist to prescribe and administer
35 a vaccine or immunization for influenza and other emergency

1 immunizations or vaccines in response to a public health
2 emergency to patients ages six months and older.

3 The bill allows a pharmacist to engage in a collaborative
4 pharmacy practice under a collaborative pharmacy practice
5 agreement to provide patient care and drug therapy management
6 services to a patient.

7 The bill allows a health carrier to pay for a service
8 provided by a pharmacist under a collaborative pharmacy
9 practice agreement if the health benefit plan provides for
10 payment or reimbursement for a service when the service is
11 within the lawful scope of practice of a practitioner or
12 pharmacist.